



**Southern Edwards Plateau Habitat Conservation Plan
Environmental Impact Statement - Public Scoping Meetings
June 6, 7, 9, 13 and 14, 2011
5:30 p.m. – 8:00 p.m.**

Purpose of Tonight's Meeting:

- To introduce and discuss the National Environmental Policy Act (NEPA)
- Explain the proposed Federal action to issue an Incidental Take Permit
- Receive input from the public on issues, alternatives, and any other items related to proposed issuance of the permit.

AGENDA

5:30 p.m. - Registration/Sign-In/Open House

6:00 - Presentation: What is an EIS and a HCP?

**6:30 - Open House/Post Questions to Comments Wall
for Question and Answer Session**

7:00 - Question and Answer Session

8:00 - Adjourn

To submit comments tonight:

- Visit the court reporter and give a verbal comment.
- Submit a written comment card in the comments box or post it to the comments wall so others can read it.

After tonight's meeting, all comments post dated **on or before July 26, 2011** will become part of the public record and considered in the Draft EIS. Comments can be submitted by:

- US Mail: Field Supervisor, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758-4460
- E-mail: fw2_aues_consult@fws.gov
- Fax: (512) 490-0974.

Public Scoping Meetings

Monday - June 6

Silver Sage Corral Great Room
803 Buck Creek Drive
Bandera, TX

Tuesday - June 7

Boerne Convention Center
820 Adler Road
Boerne, TX

Thursday - June 9

Old Blanco County Courthouse
300 Main Street
Blanco, TX

Monday - June 13

YO Ranch Conference Center
2033 Sidney Baker
Kerrville, TX

Tuesday - June 14

Helotes Ag Activity Center
12132 Leslie Road
Helotes, TX

See back of this agenda for more information.

The presentation and exhibits from tonight's meeting are available for download at:
www.sephcp.com.

For more information, visit the following websites:

1-U.S. Fish and Wildlife Service – Endangered Species Program – An Overview of
Habitat Conservation Plans

<http://www.fws.gov/endangered/what-we-do/hcp-overview.html>

2-Texas Parks and Wildlife Department – Endangered and Threatened Species –
Background Information on the Covered Species being considered in the HCP

<http://www.tpwd.state.tx.us/huntwild/wild/species/endang/index.phtml>

3-Bexar County sponsored website on the Southern Edwards Plateau Habitat
Conservation Plan

<http://www.sephcp.com>

4-Management Guidelines for the Golden-cheeked Warbler in Rural Landscapes

http://www.tpwd.state.tx.us/publications/pwdpubs/media/pwd_bk_w7000_0013_golden_cheeked_warbler_mgmt.pdf

5-Management Guidelines for Black-capped Vireo

http://www.tpwd.state.tx.us/publications/pwdpubs/media/pwd_bk_w7000_0013_black_capped_vireo_mgmt.pdf



Photo by Brian Small
Endangered Black-capped Vireo

**BEXAR COUNTY
INFRASTRUCTURE
SERVICES DEPARTMENT**

PROGRAM CONTACT—Andrew Winter
Bexar County Environmental Engineer
233 N. Pecos, Suite 420
San Antonio, TX 78207

Phone: 210-335-6487
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E-mail: awinter@bexar.org



SEP-HCP Brochure—April 7, 2011

***My County Commissioners
passed a resolution to “opt out”
of the SEP-HCP, so why does the
Plan Area include my county?***

The SEP-HCP will not create any new regulations or restrictions, nor will it provide Bexar County or the City of San Antonio with any new land use or zoning authority over private landowners or other governmental entities in Bexar County or any other county.

The SEP-HCP is simply a voluntary tool to help people achieve compliance with the ESA and to leverage resources for achieving conservation at a regionally significant scale.

Bexar County and the City of San Antonio believe that the SEP-HCP’s Plan Area is needed to achieve the biological goals of the Plan. Taking a regional approach to conservation opens up more opportunities for the Plan to contribute in a meaningful and lasting way to the recovery of the region’s endangered species.

Participation in the SEP-HCP will be entirely voluntary for people seeking to comply with the ESA and for people wishing to become a SEP-HCP conservation partner.

Anyone, including private landowners or other local governments, wishing to use the SEP-HCP for ESA compliance must specifically request to enroll in the Plan. Neither Bexar County nor the City of San Antonio will require or otherwise compel any landowner, developer, local governmental entity, or any other person to participate in the SEP-HCP.

Those wishing to not participate in the SEP-HCP may conduct their activities in a way that does not harm endangered species or may seek other options for ESA compliance, such as consulting individually with the Service.



Photo from Deirdre Hisler, TPWD

Government Canyon State Natural Area, Bexar County

What is the status of the SEP-HCP?

Development of the SEP-HCP began in mid-2009, and the plan sponsors (Bexar County and the City of San Antonio) have been working extensively with stakeholder and scientific advisory groups to gain input on what to include in the Plan.

A first draft of the SEP-HCP will be available for review in April 2011 and the final version should be completed by September 2012, subject to approval by the Plan sponsors and the U.S. Fish and Wildlife Service.

How can I learn more about the SEP-HCP?

- Explore the SEP-HCP website at www.sephcp.com
- Sign up for email notices of meetings and other events on the SEP-HCP website.
- Attend meetings of the SEP-HCP advisory committees. Meeting notices, agendas, materials, and minutes are posted on the SEP-HCP website.
- Participate in open public meetings—check the website for upcoming opportunities.
- Contact us with questions or comments at info@sephcp.com

**SOUTHERN EDWARDS
PLATEAU HABITAT
CONSERVATION PLAN**

**INFORMATION &
FREQUENTLY
ASKED QUESTIONS**



Sponsored by
Bexar County &
City of San
Antonio

What is the SEP-HCP?

The Southern Edwards Plateau Habitat Conservation Plan (or "SEP-HCP") is an effort by Bexar County and the City of San Antonio to create a program for local administration of certain aspects of the federal Endangered Species Act (the “ESA”) . The SEP-HCP will provide an alternative to dealing directly with the U.S. Fish and Wildlife Service for obtaining compliance with endangered species regulations.

The SEP-HCP is intended to simplify compliance with the ESA. Compliance with this existing federal regulation is needed when people conduct activities, such as land development, that would harm endangered species or their habitats. The ESA requires people to perform conservation actions to help offset the harm that may be caused by their actions.

By electing to participate in the SEP-HCP, people will work with the Plan’s administrator to determine the level of harm their actions may have on endangered species. Participants in the SEP-HCP would pay a fee to the Plan in proportion to the level of harm their activities may cause. The SEP-HCP will pool these participation fees and use them to protect and manage habitats for the endangered species.

Therefore, by promoting better compliance with the ESA, the SEP-HCP will increase the level of conservation for endangered species and help balance the harmful aspects of habitat loss.

Participation in the SEP-HCP will be entirely voluntary for people seeking to comply with the ESA and for people wishing to become a SEP-HCP conservation partner. In no case will anyone be required to use the SEP-HCP.

What is the reason for the SEP-HCP?

South-central Texas is home to several federally threatened or endangered species, including several birds and cave-dwelling spiders and beetles. The ESA prohibits harm to these species, including actions that could impact endangered species habitat.

The presence of endangered species can conflict with the desirable economic growth of communities that share the same area.

In the Greater San Antonio area, such conflicts have received considerable attention in recent years and have been cited as a significant threat to the military’s training mission at Camp Bullis. The presence of these military facilities is a key factor contributing to the economic vitality of the region.

Consulting individually with the U.S. Fish and Wildlife Service to achieve compliance with the ESA is often a cumbersome and lengthy process, sometimes taking years to complete. Too often, the burden of compliance leads to a decision to disregard the ESA in favor of risking enforcement action by the Service. Not complying with the ESA means that the corresponding conservation actions for the affected species do not occur.

The SEP-HCP will simplify, streamline, and shorten the process of achieving ESA compliance, thereby reducing regulatory uncertainty for voluntary SEP-HCP participants and increasing the level of conservation for the region's natural resources.



Endangered Golden-cheeked Warbler

Can I participate in the SEP-HCP?

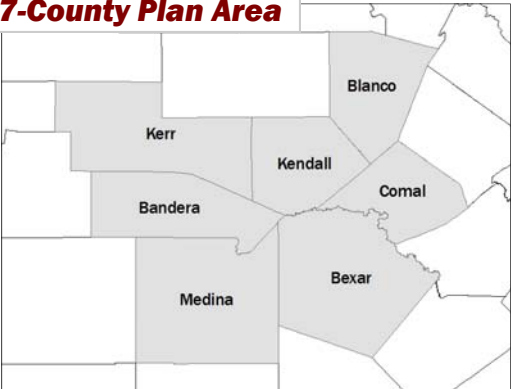
Endangered species conservation and economic development are both issues with regional implications. Therefore, the SEP-HCP has a regional scope that includes a 7-county Plan Area.

Subject to certain limitations, people within the Plan Area may choose to use the SEP-HCP to comply with the ESA when their actions would harm one or more of the Plan’s covered species. However, **in no case will anyone be required to use the SEP-HCP.**

Each individual has the responsibility to decide whether or not to seek compliance with the ESA. The SEP-HCP is only one option for achieving compliance and people may choose which option best suits their needs and circumstances. Other options include implementing activities in such a way as to avoid harming an endangered species or by seeking individual authorization from the Service.

The SEP-HCP will also seek partnerships with landowners in the Plan Area to protect endangered species habitat. Again, the SEP-HCP will seek conservation opportunities **only from willing landowners**. The SEP-HCP will not require any landowner to provide lands for conservation.

7-County Plan Area



Endangered Karst Beetle

Which species does the SEP-HCP cover?

Golden-cheeked Warbler – This endangered migratory songbird uses relatively mature and closed-canopy juniper-oak woodlands in central Texas as breeding habitat during the spring and early summer months. The species was listed as federally endangered on May 4, 1990.

Black-capped Vireo – Another endangered migratory bird that utilizes a range of deciduous shrub habitats across central Texas during its breeding season in the spring and summer months. The vireo was listed as federally endangered on November 5, 1987.

9 Karst Invertebrates – A group of nine cave-adapted invertebrates including five spiders, three beetles, and one harvestman. These species live entirely underground in the limestone caves and passages of the karst geologic formations that underlie the northern part of Bexar County. These species were federally listed as endangered on December 26, 2000.



Endangered Karst Spider

**SOUTHERN EDWARDS PLATEAU
HABITAT CONSERVATION PLAN,
NATIONAL ENVIRONMENTAL
POLICY ACT
WHAT'S IT ALL ABOUT?**

The U.S. Fish and Wildlife Service (USFWS) prepared this brochure to request your assistance in participating in the National Environmental Policy Act (NEPA) process for the Southern Edwards Plateau Habitat Conservation Plan. NEPA incorporates public views into the Federal decision-making process. This brochure describes the NEPA process, focusing on your role in the preparation of an Environmental Impact Statement (EIS) for the Southern Edwards Plateau Habitat Conservation Plan.



**What is a Habitat Conservation Plan
and what are its Benefits?**

Bexar County is preparing the Southern Edwards Plateau Habitat Conservation Plan. The plan will allow the counties, cities, and private citizens, that choose to participate, to obtain a permit from the USFWS by establishing a locally managed, simplified process for complying with the Endangered Species Act (ESA). The ESA protects threatened or endangered species and their habitats by prohibiting “take” of listed animals. As defined by the ESA, take means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” It permits the incidental take of endangered species for certain activities through prescribed measures to mitigate or minimize harm.

What is NEPA?

NEPA is a Federal law that serves as the Nation’s basic charter for making major Federal decisions and how those decisions affect the human environment. It requires that all Federal agencies consider the potential environmental impacts of their proposed actions. NEPA promotes better agency decision-making by ensuring that high quality environmental information is available to agency officials and the public before the agency decides whether and how to undertake a major Federal action. Through the NEPA process, you have an opportunity to learn about USFWS’s proposed actions and to provide timely information and comments to USFWS. To implement NEPA, all Federal agencies follow procedures issued by the President’s Council on Environmental Quality in the Code of Federal Regulations (40 CFR Parts 1500-1508). The USFWS also follows the Department of the Interior’s Manual (516 DM 1-6) and the Draft Fish and Wildlife Service Manual Part 550.

When Does USFWS Prepare an EIS?

An EIS is prepared for all major Federal actions having a significant effect on the environment. The USFWS’s action for the Southern Edwards Plateau Habitat Conservation Plan would be the issuance of a permit, under Section 10 of the Endangered Species Act. Early in the planning process the USFWS decides whether its actions are “major” and if the impacts could be “significant”. Impacts are measured in terms of intensity and duration, and one important consideration in assessing impacts is public controversy. It is USFWS’s experience that often through misinformation and misconception Habitat Conservation Plans can be controversial.



How Does USFWS Prepare an EIS?

EIS preparation consists of several steps, each with opportunities for you to be involved.

Step 1 - Notice of Intent: First, the USFWS publishes a Notice of Intent to prepare an EIS in the *Federal Register* and makes local announcements. This notice states the need for action and provides preliminary information on the EIS scope, including the alternative actions to be evaluated, the kinds of potential environmental impacts to be analyzed and related issues. The Notice of Intent also serves as the beginning of the next step, the “scoping process.”

The Notice of Intent explains how you can participate in the scoping process and provides information about public scoping meetings.

Step 2- Scoping Process: The USFWS requests your comments on the scope of the EIS. What alternatives should be evaluated? What potential environmental impacts should be analyzed? USFWS’s scoping process will last at least 30 days, with five local public scoping meetings.

Step 3 - Draft EIS: USFWS considers scoping comments in preparing a Draft EIS. An EIS (Draft or Final) analyzes and compares the potential environmental impacts of the various alternatives, one of which is always a “no action” alternative. The EIS also discusses ways to avoid or reduce adverse impacts. A Draft EIS will identify USFWS’s preferred alternative(s) if known at the time.

USFWS Southern Edwards Plateau Habitat Conservation Plan EIS schedule and related NEPA information is available at www.sephcp.com.

Step 4 - Public Comment on the Draft

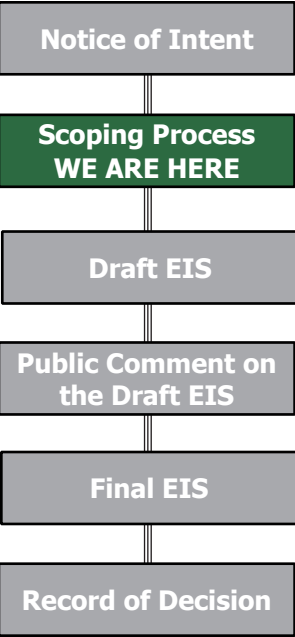
EIS: After USFWS issues a Draft EIS, the U.S. Environmental Protection Agency publishes a Notice of Availability in the Federal Register to begin the public comment period, which will last at least 45 days. USFWS also will announce details regarding how you may comment on the Draft EIS, either orally at a public hearing (at least one must be held) or in writing.

Check your local newspaper or the Southern Edwards Plateau Habitat Conservation Plan Web site (www.sephcp.com) for information about public hearings and ways to submit comments.

Step 5 - Final EIS: USFWS considers all timely public comments on the Draft EIS while preparing the Final EIS, which must respond to such comments. The Final EIS identifies USFWS’s preferred alternative. After USFWS issues the Final EIS, U.S. Environmental Protection Agency publishes a Notice of Availability in the Federal Register.

Step 6 - Record of Decision: USFWS must wait at least 30 days after the U.S. Environmental Protection Agency Notice of Availability of the Final EIS before issuing a Record of Decision. A Record of Decision announces and explains USFWS’s decision and describes any commitments for mitigating potential environmental impacts.

The Record of Decision will be published in the *Federal Register* and made available on the Southern Edwards Plateau Habitat Conservation Plan web-site (www.sephcp.com). You may also ask USFWS to send you a copy (contact info on the back cover of this brochure).



How to Record and Submit Your Comments:

At the Meeting

- Fill out a comment card and drop in the comment box or post it on the wall and/or
- Give your comments verbally to the Court Reporter

After the Meeting

(post-dated by Tuesday, July 26, 2011):

Submit comments by fax to:
(512) 490-0974

Email to:
fw2_aues_consult@fws.gov

Mail written comments
(post-dated by Tuesday, July 26, 2011) to:

Field Supervisor
Austin Ecological Services Field Office
10711 Burnet Road, Suite 200
Austin, TX 78758-4460

The presentation and exhibits from tonight's meeting are available for download at:
www.sephcp.com



What are Common Misconceptions about Habitat Conservation Plans?

Why do I need a permit from USFWS to build a house or roadway?

Response: You do not need a permit from the USFWS to construct a house or roadway. However, if threatened or endangered species will be adversely affected from the construction, you will need authorization from the USFWS for incidental take or harm to threatened or endangered species. Incidental take authorization is for take or harm resulting from, not the purpose of, the proposed action.



What will happen if I construct my project without getting an incidental take permit?

Response: If your project will cause harm or take of a Federally-listed species, you will need authorization from USFWS. If you choose not to obtain that authorization, you may be in direct violation of the ESA, which is a Federal offense, and can be prosecuted through criminal or civil proceedings.

Habitat Conservation Plan's are a "government land grab".

Response: A Habitat Conservation Plan, such as the Southern Edwards Plateau Habitat Conservation Plan, is strictly a voluntary program. If an incidental take permit is required for activities that will result in harm to threatened or endangered wildlife, developers and other private and public entities within the plan area may forgo the preparation of individual plans for each action and voluntarily participate in the Southern Edwards Plateau Habitat Conservation Plan.

The regional approach is intended to save both time and money by pre-arranging permit conditions and mitigation measures. Landowners may also voluntarily sell conservation easements or lands to the plan administrators for mitigation for development projects. It's all voluntary. The USFWS merely approves such requests to ensure consistency with Federal law.

Photo Credits:

Front Cover

Stream - Jenny Blair

Interior Insets

Golden-cheeked Warbler - Jenny Blair

Karst Invertebrates - Jean Krejca

Back Cover

Bluebonnets - Jenny Blair

Back Insets

Black-capped Vireo - Tom Grey

Karst Cave Exploration - Jean Krejca



Southern Edwards Plateau Habitat Conservation Plan

and

National Environmental Policy Act

What's it all about?

